DEPARTMENT OF ELECTIONS
City and County of San Francisco

John Arntz
Director

Memorandum

To: **Ed Harrington, Controller**
Monique Zmuda, Deputy Controller
Noelle Simmons, Mayor's Budget Director,

From: **John Arntz, Director of Elections**

Date: **June 23, 2006**

RE: **Response to Controller's Report from June 14, 2006**

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This memorandum responds to the report issued by the Office of the Controller on June 14, 2006, entitled "Staffing and Planning Issues at the San Francisco Elections Department." The Controller's Office issued its report shortly after the June 6, 2006 Consolidated Primary Election, and five days prior to the Department's first hearing before the Board of Supervisors' Budget and Finance Committee on June 19. Although our canvass of the June election is our first priority at this time, the Department is providing as complete of a response as possible especially since the Board's budget analyst wants to complete his report by June 23.

While the Controller's office did spend several months preparing this report from a budgetary perspective, that office does not have the benefit of experience of administrating complex elections in San Francisco. This report recommends the reduction of staff in the Department of Elections who work nearly year-round but who are on temporary requisitions. Further, the report recommends the reduction of position for the manager that oversees the publication of ballots and voter information pamphlets, and the reduction of the position for the manager overseeing poll worker recruitment, poll worker training, the field election deputy program, and language assistance at the polling places. The report indicates that most of the positions now filled by year-round employees who are on temporary requisitions should be filled with seasonal employees who would begin work immediately before an election and be separated immediately after an election. The Department's response is that the recommended reductions represent an insufficient understanding of conducting elections in San Francisco and would effectively return the Department to its former status as a broken agency unable to meet its core responsibilities.

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SOLUTION TO STAFFING ISSUES FOR THE DEPARTMENT OF ELECTIONS

The San Francisco Department of Elections' (Department) staffing levels, when including year-round temporary employees who have worked with the Department for the last several years, are proportionately comparable to the staffing levels at all other nearby counties: San Mateo, Contra Costa, Alameda, Santa Clara, and Sacramento. When excluding year-round temporary employees, for which the Controller's report recommends reductions, San Francisco employs nearly the *lowest* number of permanent staff among nearby counties. Additionally, the number of seasonal employees the Department hires for an election is comparable to the number of seasonal employees these other counties hire to conduct their elections. Please see attachments.

The Department of Elections requires an employment classification scheme that is consistent to its operations. The current classification scheme is a conglomeration of mostly clerical positions more appropriate to agencies with workloads that are more static and unwavering than what this Department experiences. The reclassification will need to recognize the fact that elections require an enormous number of people who come together for a common goal and require an incredible amount of teamwork and familiarity with processes that overlap one another and extend beyond any given calendar of events.

For this to occur, however, the City will need to recognize that the administration of elections requires large numbers of temporary staff that deserve compensation comparable to their skills and knowledge to encourage these people to stay employed with the City. Also, the City should consider having a contractor conduct a comprehensive review of the Department and its mandated obligations. The contractor could commit the time necessary to consider how this Department and other counties meet their legally mandated obligations. The reason for this approach is that the Department expends considerable amounts of energy throughout the year, not only during the budget hearings, explaining and supporting its operational costs, and then being dismayed that its efforts seem to have no effect. Neither the Department, the City, nor San Francisco voters are best served by this continuous budgetary cycle, especially when this cycle repeats itself in the midst of the election cycle, when departmental personnel need to focus on this agency's primary functions within city government.

In the near term, however, the City must allow the Department to institutionalize the skills and knowledge that have allowed for successful elections the past four years. For this to happen, the City needs to value the people who have worked so hard to provide proper elections to San Francisco rather than seek to move them out of employment. In other words, acknowledge that the staff and the positions of the Department exist for a reason more than as possible budgetary cuts. Further, the Department must be allowed to fill its open requisitions without having to consider any unexpected "freezing" of the requisitions that result in terminating the hiring process.

Elections nationwide are becoming increasingly complex and technology-driven. Every election department requires staff who can understand and implement election processes and

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who can adapt to new technologies. In the past, elections in San Francisco may have been able to rely on people who could arrive at the elections office and after a few moments of instruction, perform work for the Department. This is no longer true. This Department of Elections provides far more services to its community than in the past and more than most every other elections department in the state. And, the San Francisco Department of Elections receives a tremendous amount of continuous scrutiny of its work and its processes even when compared to elections departments in other counties. The best City policy, and budgetary policy, is to accept and to institutionalize the excellent work of its Department of Elections so the Department can focus on the next round of changes and requirements that never cease to reshape elections in San Francisco. Therefore the Department requests the City make the necessary preparations to allow the Department of Elections to hire staff on a permanent basis who possess the necessary skills and knowledge for administering and conducting elections in San Francisco. Also, to assist the Department in developing a job classification scheme that is relevant to the Department's work.

COMMENTS ON STAFFING SUGGESTIONS FROM CONTROLLER'S REPORT

1. The suggested reductions in the Controller's report represents a 39% decrease in full-time staffing for the Department.

The Department has filled 22 permanent or provisional positions. The Department does employ 14 people who work nearly year-round but who are employed on temporary requisitions (the Controller's report indicates the Department has 37 permanent positions and 15 temporary or seasonal positions, yet one position is the Elections Commission secretary who the Department's does not include in its overall permanent staffing levels). The Department could potentially hire five people into provisional positions but the Mayor's Office has "*frozen*" these requisitions and indicated it would not approve these positions being filled. Thus, when the Controller's report suggests the reduction of 14 positions, one position being a 1408 permanent position, another being a 1842 provisional position and twelve of the temporary positions, the reductions would affect 39% of the Department's existing staff.

2. The Department employs 22 people with permanent or provisional status although the Controller's report sets the Department's permanent staffing level at 36 people.

The Controller's report indicates that the Department employs 37 permanent staff. The result is that after applying the suggested reductions to the temporary personnel or the change in their status to seasonal workers, the Department would still be adequately staffed with 37 people. Of the 37 positions in the Department, 15 positions are filled with temporary requisitions, for a total of 22 people employed on a permanent or provisional status.

3. The suggested reductions would directly and adversely impact staffing positions that perform core tasks.

One position affected by the recommended reductions in the Controller's report is the manager who oversees the production of San Francisco's ballots and voter information pamphlets. The Department considered itself fortunate to hire four people to assist this manager for the June primary election. In San Mateo, two managers oversee the production of ballots and voter information pamphlets. These two managers have five or more assistants. Yet, the Controller's report recommends reducing the Department's position to three-quarter time. A second position suggested for three-quarter time is the management position that oversees the recruiting and training of poll workers, the hiring and training of field election deputies, and the high school student poll worker program. A third suggested reduction is the supervisory position overseeing the filing of reports from over 8700 statewide political committees. Other reductions would affect the obtaining of polling places, implementation of programs to comply with state and federal disability laws, data entry of voter registration information, voter education and outreach, and warehousing.

4. The Controller's report implies that seasonally hired personnel can perform election-related work equally as well as full-time employees.

The recommendations in the Controller's report suggest that most of the Department's year-round temporary staff need to be hired on a seasonal basis. This change would certainly lead to staff leaving the Department to seek more secure employment elsewhere, as has happened in the past because the Department cannot provide secure employment. The result would be that essential functions now the responsibility of experienced people would become assigned to seasonal staff that would be ever changing from election to election. This would destabilize the Department since these positions are fundamental to the Department meeting its core responsibilities and are not ancillary to the Department's election processes.

5. Seasonal three-quarter-time positions are inadequate especially during two-election fiscal years.

The Controller's report indicates that some positions that are temporary can be reduced to three-quarter time positions and hired on a seasonal basis. During fiscal years with two elections, the Department would be separating experienced staff after the November general election, and hiring new staff for the June primary election. Such a situation is highly inefficient and would increase the potential for problems that could injure the elections process.

Another concern with the seasonal three-quarter-time suggestion is that it may require the Department to hire two people to perform the tasks of one position. A significant staffing issue for the Department, and the City, for the past several years is the City requirement that

temporary employees not work more than 1040 hours in one fiscal year. When there are two elections during the same fiscal year, temporary staff will accrue more than 1040 hours of employment with the City, unless they are separated and replaced with newly hired staff.

To avoid having temporary staff becoming eligible to gain the benefits, the Department will need to separate staff before 1040 hours, and then hire another person for the same work. When considering the temporary staff discussed in the Controller's report, all of the personnel who have worked for several years with the Department would need to be separated, and an entirely new and inexperienced set of people would need to be hired into the Department. During fiscal years with two elections, the Department would be separating perhaps 50 to 100 experienced staff after the November general election, and hiring new staff for the June primary election. Such a situation is highly inefficient and would increase the Department's workload by requiring a wholesale changeover in staff and would certainly increase the likelihood for significant problems.

6. The Controller's report suggests maintaining an essential poll worker division manager as a temporary position and also reducing this position from full-time to three-quarter-time.

This suggested reduction raises two critical concerns. First, the position that manages up to 3000 election-day workers and oversees the staffing and support of all of the City's polling place workers is held by a person who is currently on a temporary status with the City. In other words, there are not sufficient management positions allocated to the Department for it to hire on a permanent basis the person who manages the staffing and support of the City's polling places.

Second, the report does not consider the workload associated with this position. This position will begin hiring seasonal staff in July for a November election. When seasonal staff arrives, this manager must have ready the training curriculums, position assignments, and a review of the poll worker manual among other materials. Additionally, from January through July, this manager is planning not only for an upcoming November election, but also for the two succeeding elections that occur during fiscal years with two elections (November general election and June primary election). To reduce this manager's position to three-quarter time would result in the Department not organizing and planning its aforementioned programs not just for one election, but for three elections.

7. The consideration of having any temporary or permanent position as being three-quarter time is inconsistent with the operational realities of the Department.

While it is conceptually conceivable that a three-quarter-time position is sufficient for fiscal year with one election, following each one-election fiscal year is a two-election fiscal year. The suggestion of having three-quarter-time positions does not answer the need to have full-year staffing during two-election fiscal years.

To structure staffing for the Department on a piecemeal basis based solely on the upcoming one-election fiscal year will result in staffing and budget inadequacies next year. A better approach is to seek to understand the complexities of the daily operations of the Department and of conducting each election in San Francisco and then ensure the Department is able to employ personnel with the necessary skills and knowledge to properly safeguard the services we provide on a daily basis as well as elections process.

8. The Controller's report indirectly concludes that the Department's funding for temporary staff salaries is inadequate.

An important issue not specifically stated in the Controller's report is that the funding for salaries for temporary staff was inadequate. The cost savings included in the Controller's report totals $419,000 while the supplemental appropriation the Board recently approved for the Department was for $819,000. Even if the Department adopted all of the recommendations included in the Controller's report, the Department would still have required more funding for its temporary staff. The Department asserted from before the start of Fiscal Year 2005-2006 that the budget for temporary salaries was insufficient. Especially since temporary salaries were funded at a level nearly similar for a two-election fiscal year, as they were for the previous fiscal year that had only one election.

9. The Controller's report incorrectly recommends a reduction from full-time to three-quarter-time for the manager position that oversees the formatting, printing, and distribution of ballots and voter information pamphlets, and instead should have recommended an increase in support staff for this position.

Only during the present fiscal year was the Department finally able for the first time in more than seven years to include this position in its budget on a permanent basis. Now, the position is recommended for reduction.

This manager must follow a complex set of laws that prescribe the preparation of voting materials such as ballots and voter information pamphlets. The federal Help America Vote Act of 2002 (HAVA) increased this manager's responsibilities beginning this year with the requirement that each polling place must have accessible voting equipment. For equipment to meet the accessibility requirements, it must include an audio component containing all

information present on the printed ballot. For this past June election, San Francisco had 158 ballot styles, requiring this manager to prepare and approve not only 158 versions of the paper ballot cards, but also 158 versions of the electronic ballot images on the accessible voting machines, *and* 158 audio versions of the information contained on the printed ballot – all in English, Chinese, and Spanish.

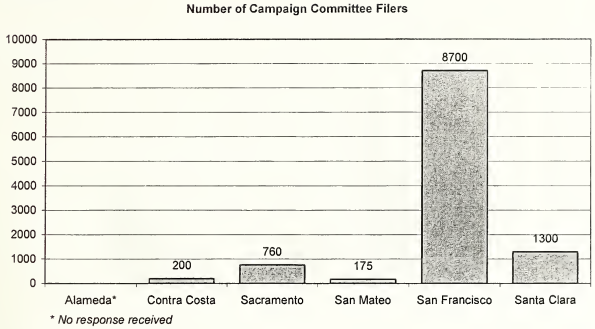
This position is also responsible for organizing the Ballot Simplification Committee meetings and ensuring the Committee's work is recorded properly and the digests on the measures prepared for publication. The publication manager's duties involved the organizing, formatting, and publishing of paid ballot arguments. After the election this manager oversees the canvass and over 50 people who work to reconcile election materials, including voted ballots, returned from the polling places. Finally, this manager assists in planning, writing procedures, and conducting the 1% manual tally, any hand-counts the Department might undertake, and in developing back up plans for conducting ranked-choice voting elections.

The proper recommendation is to provide positions in the Department's budget that will allow the Department to hire personnel with the necessary skills to support this manager in producing ballots and voter information pamphlets. This past election the mailing of the voter information pamphlet was delayed because the vendor did not complete the formatting of the ballots as scheduled. The reason the ballot formatting affected the mailing of the voter information pamphlet is each pamphlet must contain a sample ballot appropriate to each voter's ballot type. The manager overseeing the formatting and publication of the ballots also oversees the formatting and publication of the pamphlets.

10. The Controller's report incorrectly suggests the reduction of a principal clerk position from full-time to half-time.

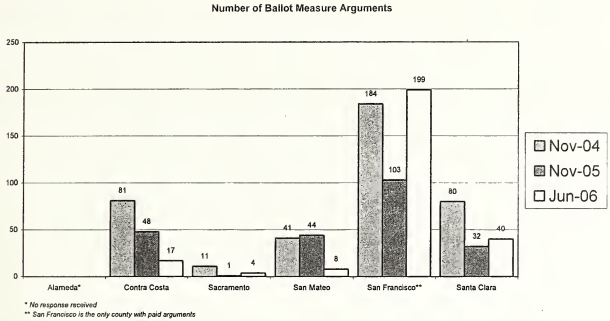
The Controller's report recommends a reduction from full-time to part-time status for the assistant manager position in the Campaign Services division, which oversees the filing of all petitions, nomination forms, and ballot arguments. One especially important role for this position is to supervise the Department's obligation to campaign reports from over 8700 committees. Depending on the year, the filing deadlines literally create mountains of forms that require a significant amount of office space. San Francisco is one of two statewide filing repositories for campaign reports. A better approach to reduce the Department's costs is for the City to assist the Department in its attempt to encourage the City's lobbyist to pursue legislation to remove the responsibilities of filing these statewide reports. Chart 1 demonstrates why San Francisco must have a full-time person overseeing the filing responsibilities that are not shared by other counties.

Chart 1



Another matter that is associated with both the manager of publications position and this principal clerk position is the great amount of work involved in handling ballot arguments that are published in the voter information pamphlet. Like the committee reports, the incredible number of arguments requires staff dedicated to these materials. More significantly, the laws that control the submission and ultimate publication of the arguments require staff who are able to prepare support personnel for the volume of work that the Department will experience, and who can ensure that arguments are submitted in a manner consistent with law and that does not affect how they are published in the voter information pamphlet. Chart 2 displays how the quantity of arguments that the Department receives requires more than seasonal or part-time staff, but instead requires people with experience who can quickly assess whether arguments meet the requirements of state and local laws and whether the arguments are submitted in the proper manner for eventual publication.

Chart 2



DISCUSSION

Over the last four years the San Francisco Department of Elections has risen from an agency unable to meet its core responsibilities to one that now leads the state in such areas as poll worker training, accessible voting standards, voter outreach and education, and ballot-handling processes. This Department is undeniably the nationwide leader in developing processes to conduct elections using the ranked-choice voting method. Without the accumulated experiences and knowledge of the Department's current personnel, this department would never have moved beyond its past inadequacies to now being a model operation for other jurisdictions.

Notwithstanding the unique complexities of running elections in San Francisco, the staffing levels at this Department are comparable to other counties. We contacted the same surrounding Bay Area counties that the Controller's office contacted after we reviewed graphs of the staffing levels of these counties that are attached to the Controller's report. We inquired further on the number of personnel they rely on to administer their offices and to conduct elections. After asking more specific questions on the organization of these counties' operational and administrative structures than the questions presented in the Controller's report, we determined that San Francisco is comparable to the other Bay Area counties in relation to staffing levels and, in fact, is efficient in utilizing staff when considering the additional responsibilities and tasks San Francisco must meet. I have attached the questions we asked these counties, their responses, and graphs updated with the most recent information.

The Controller's report seems to recommend reductions in staffing levels at the Department, but the report does not indicate how the Department will continue to meet its obligations after the reductions take place. The report does not provide any detail on the tasks assigned to those

personnel from other counties, whether there are any differences among the counties' operations, and whether those offices meet San Francisco's levels of service. Further, the Controller's report indicates that temporary positions now filled with personnel with several years experience should become seasonal positions, filled only immediately before an election. Unfortunately, there are few people who apply to work as seasonal employees who have experience in administering and conducting elections. The report lists tasks associated with these positions but makes no assessment on the importance of the responsibilities assigned to these positions and whether an ever-changing set of seasonal staff can fulfill those responsibilities. Further, while suggesting reductions in staff, the report does not provide an indication of which tasks or mandated obligations the Department can cease performing to match the reduced number of staff available for this work. In other words, the report does not state whether the loss of any personnel would harm the Department's ability to administer its office or conduct elections. Indeed, the report does not attempt to provide any guidelines on how the Department of Elections will fulfill its legally mandated responsibilities without sufficient competent personnel.

Ironically, the Controller's report was written in response to the Department indicating that it was under-funded for temporary staff salaries for the current fiscal year. While the report leaves to the Mayor's office the decision to adequately staff the Department, the report also recommends the reduction of specific positions. Yet, all of the proposed reductions contained in the report do not equal the funding amount specified in the Department's recent supplemental appropriation. When considering that San Francisco's Department of Elections employs comparable numbers of personnel as other Bay Area counties, and that all of the recommended staffing reductions do not meet the Department's staffing requirements, the report clearly shows that the Department budget for temporary staffing has been under-funded and that further reductions in the staffing budget will only amplify this problem.

Successful execution of elections includes two key elements: retaining competent staff to make and implement administrative and operational decisions and balancing budget and policy needs. Balancing budgets ensures that adequate supplies like ballots, pamphlets, and signage are provided while minimizing waste. Staff development cannot be overemphasized. While significant turnover amongst poll workers is expected and predictable, supervisors and managers need elections experience and essential staff to ensure successful elections. The minimizing of turnover of this core staff is critical. Although departmental personnel concentrate on the processes essential to elections prior to and immediately following an election, the Department requires additional functions to occur during the "off-season." These functions include but are not limited to recordkeeping, updating procedures, voter file maintenance, voter, community, and vendor outreach, website maintenance, and systems testing. The Department of Elections, like other City agencies, must function and provide services on a year-round, daily basis.

SAN FRANCISCO MUST PROVIDE MORE SERVICES

The Controller's report focused solely on the number of staff in the Department and the report attempts to provide a comparative analysis of staffing levels among five nearby counties and San Francisco. After reviewing the Controller's report, the Department considered that the staffing levels provided from the other counties to be lower than their actual levels. For this reason, we contacted these counties and asked questions more specific to the operational and administrative aspects of conducting elections than the questions asked of the counties by the Controller's office and listed in the Controller's report. Our deeper knowledge of elections processes allowed us to ask questions of the counties that a person who is inexperienced with elections most likely would not consider to ask. All of the questions and associated answers are attached to this memorandum.

Our initial questions centered on understanding the answers the counties provided the Controller's office. We found that the counties responded without considering all of the various operations and staff required to conduct elections in their jurisdictions. Chart 3 illustrates the number of permanent staff in each county. For San Francisco, we included the 22 employees who are permanent or provisional and did not include the temporary, year-round employees since many of those positions are listed in the Controller's report as requiring reduction or a change in status from temporary year-round to seasonal. Also, in response to our questions, San Mateo County added to its total the year-round temporary employees in that office, as well as personnel from other agencies in that county who provide ongoing support to San Mateo's elections department. Chart 3 clearly demonstrates that San Francisco has the least number of permanent and provisional staffing of all the counties when considering the Department's current staffing levels.

Chart 3

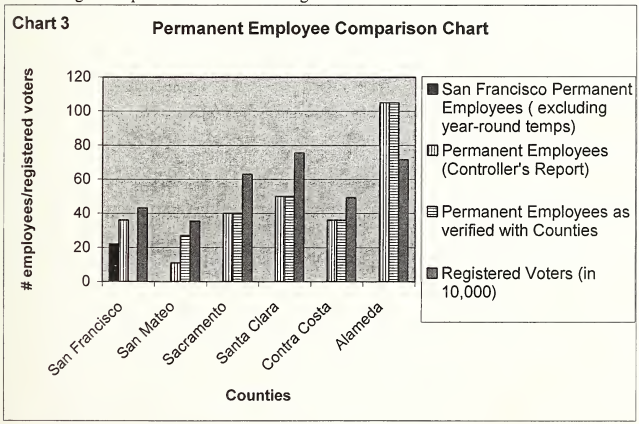


Chart 4 illustrates the number of seasonal employees who work with the counties during election cycles. This chart demonstrates that San Francisco employs nearly the least number of seasonal employees of the five counties the Controller's office interviewed. Contra Costa County employs the fewest seasonal employees of the six counties. When asked about this, Contra Costa indicated that its seasonal staffing levels did not include processes that were outsourced such as equipment deliveries to the polling places. Also, Contra Costa indicated its staff worked a significant number of overtime hours. Again, a table of the questions the Department asked the counties, and the associated answers, are attached to this memorandum.

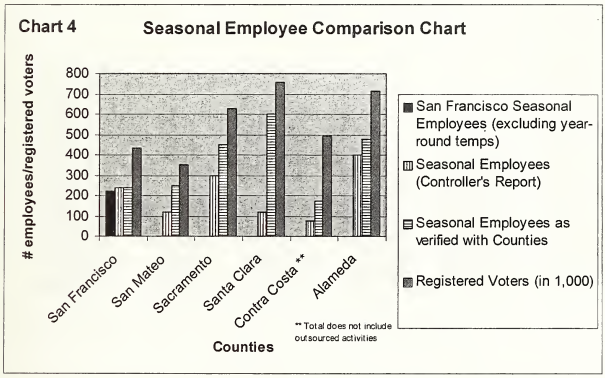
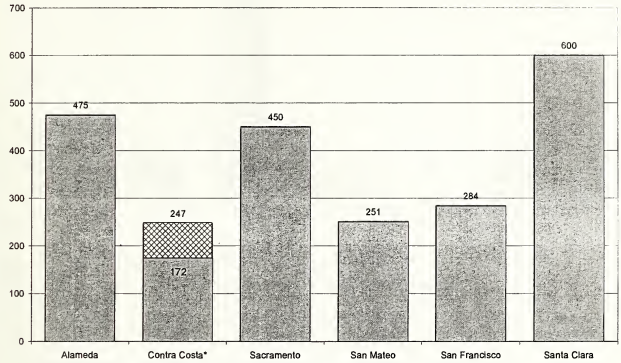


Chart 5 represents the number of seasonal staff each county employed for the past June election. Clearly, San Francisco's staffing levels for seasonal employees is entirely in line with the counties the Controller's office included in its report.

Chart 5

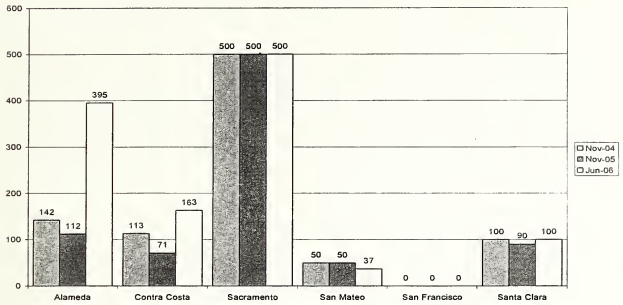
Maximum Number of Seasonal Employees Needed to Conduct an Election



** 75 or more additional personnel are outsourced (delivery, setup, retrieval of polling place equipment)*

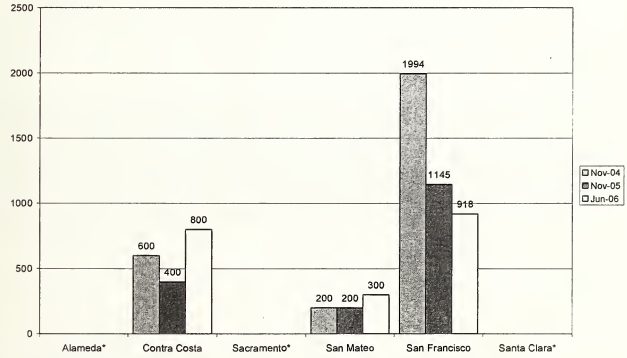
One potential source of personnel to assist with conducting elections is employees from other departments and agencies within a particular county. It is common, nationwide, for elections departments to rely on county or city employees to work with the elections departments during an election cycle. We were able to gather some information on how the five counties included in the Controller's report utilize their fellow government employees. Only San Francisco explicitly has a prohibition in its Charter that disallows City employees from working directly with its elections department and to perform duties specifically related to conducting elections. The Department may seek a waiver of this prohibition from the Board of Supervisors for individual City employees to participate in the election, but there is no organized program that encourages City employees to assist the Department as exists in other counties. Chart 6 provides an excellent example of how other counties are able to rely on employees of state and local governments to assist in conducting elections. Chart 6 displays the extent to which county employees alleviate their jurisdictions' workload when recruiting poll workers.

Chart 6 Number of Pollworkers Recruited from County Pollworker Program



In fact, in this one area of election administration, San Francisco must recruit a greater number of people who have not participated in San Francisco's elections as poll workers. While the information we obtained is incomplete, it is interesting to view a comparison among Contra Costa, San Mateo, and San Francisco related to staffing polling places. Chart 7 shows that San Francisco must exert more effort in recruiting people to work as poll workers than in the two counties who were able to respond to our multi-county survey on the specific topic of poll worker recruitment.

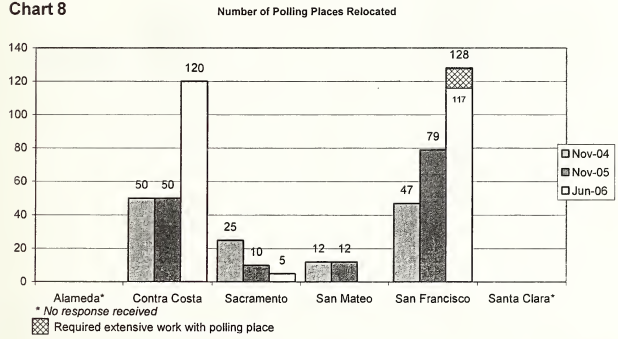
Chart 7 Number of NEW Poll Workers Recruited & Trained



** No response received*

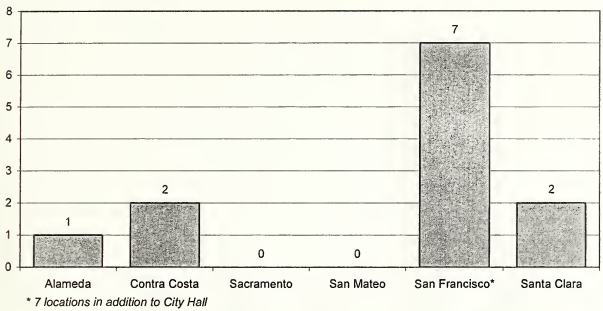
Related to having to recruit poll workers, the Department must also "recruit" polling places. The Department utilizes as many public buildings as possible to serve as polling sites, but since the size of any one precinct cannot exceed 1000 voters, it is not possible to have all polling sites be public buildings. In many areas of the City the Department seeks to use garages in private homes, foyers in residential facilities, lobbies in hospitals, and other available spaces. Unfortunately, the Department cannot depend on using the same polling places for every election and must always find new sites to replace cancelled locations. Additionally, the federal Help America Vote Act (HAVA) now requires that each polling place be accessible. It is necessary for the personnel who locate polling places to be proficient in accessibility laws. Chart 8 demonstrates how San Francisco routinely relocates more polling places than other counties between elections.

Chart 8



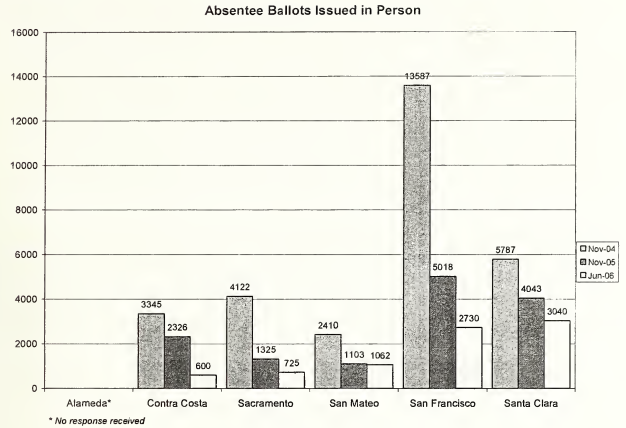
One point of interest related to the number of seasonal staff is that San Francisco has significantly more locations from which to organize its operations compared to the other five counties. The San Francisco Department of Elections is essentially split into seven separate locations. Due to the dispersal of locations, the Department must execute a highly organized plan to ensure all necessary tasks will be accomplished. As Chart 9 demonstrates, the Department must be exceptionally organized to properly shift staff among the Department's various operations and activities.

Chart 9 Number of Remote Office Locations



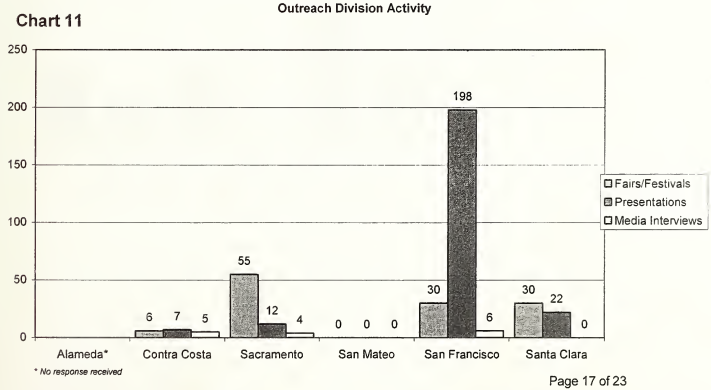
Still, since the Department is located in City Hall, voters have greater access to the Department's services than in other counties. One measure of the high degree of contact with the public is the number of voters that utilize each counties' early voting centers that may open 29 days before the date of an election. All of the counties provide absentee ballots at their early voting centers, and the amount of absentees issued in San Francisco is comparatively higher than all of the five counties when considering the number of registered voters in each county. Only Santa Clara, and only during the most recent election, can match San Francisco's walk-in traffic, although Santa Clara has nearly twice the number of registered voters than San Francisco. Chart 10 below demonstrates the number of people who personally seek the Department's services and how this number is certainly more pronounced in San Francisco.

Chart 10



While the Department is able to serve a high number of voters who routinely visit our office in City Hall, we also have one of the most active voter outreach and education programs in the state. We discussed outreach activities with the five counties mentioned in the Controller's report and discovered that San Francisco is markedly more active in organizing presentations in the community. Chart 11 illustrates the Department's outreach activities.

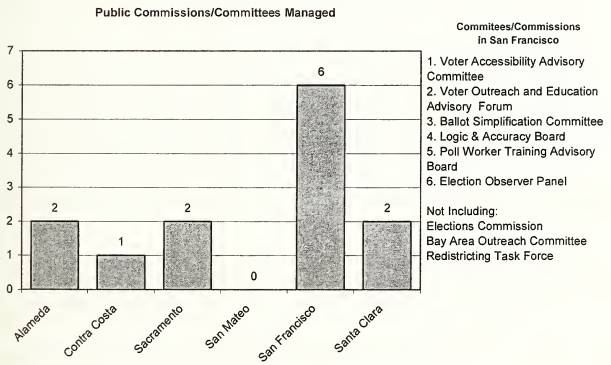
Chart 11



As we discussed staffing levels with the other counties, we realized that San Francisco not only has comparable staffing levels, but in many areas San Francisco requires greater demands on the Department's resources. For instance, only San Francisco conducts ranked-choice voting elections (RCV). With RCV, the Department experienced a workload increase due to the need to format and print more ballots, adopt new ballot processing procedures, implement new and more labor-intensive processes when canvassing election materials, training seasonal staff, changing the curriculum for the poll worker training classes, increasing outreach activities, producing multi-lingual materials, and even in how the Department reports election results. All of these tasks and processes involved personnel who the Controller's report recommends should be reduced in status to seasonal employees or who should have less than full-time employment with the City.

The Department knew San Francisco was unique among all counties in California with the fact that the City has an Elections Commission. What was surprising, however, is the Department interacts with and organizes a significantly greater number of citizen committees than do the five counties cited in the Controller's report. As Chart 12 indicates, the Department does have a high degree of involvement with these committees especially when considering the other five counties.

Chart 12



RESPONSE TO RECOMMENDATIONS

Recommendation 1: Some Positions Should be Reduced to Part-time or Made Seasonal

The Department agrees that some positions may not require continuous year-round staffing and, in fact, some staff already take time off without pay during slower work periods. When considering fiscal years in which the Department schedules one major election, it seems conceivable that some positions could be classified as three-quarter time. However, during fiscal years with two scheduled major elections, all positions require full-time classifications. It is unclear how the suggestions in the Controller's report would reconcile these operational realities.

Also, during the fiscal years when one election will be held, the months from January until April are when the Department finally has time to substantially review and modify its procedures. Also, this time is when the workload allows staff to vacation or utilize comp time. When the Department conducts a November election in an even-numbered year, the next scheduled election will take place in November in the following odd-numbered year. The intuitive view of this schedule is that one full year will pass without much activity in the Department. What is difficult to explain, however, is that the time period without directly planning for an election is much shorter than a calendar year since staff is preparing substantial election-related plans starting in January.

The Controller's report focused on "cost drivers" such as voter turnout, the number of ballot cards, etc., but the report did not consider tasks and responsibilities unique to San Francisco. The report's focus on cost drivers also precludes consideration of the dynamics of election cycles over extended periods of time. Ballots and voter turnout are obvious markers of the effects of the election process, but they cannot in themselves describe the efforts and mechanisms required to support elections.

Recommendation 2: The Management and Information Services Division (MIS) should be Reorganized

The Department agrees with this recommendation and already advanced this plan to the Mayor's Budget office during budget preparations for fiscal year 2006/2007. The Department wants to include this reorganization in the proposed classification review conducted by the Department of Human Resources.

Recommendation 3: Contract for Absentee Ballot Preparation

The Department agrees with this recommendation and pursued this possibility prior to both the November 2005 and June 2006 elections. The vendor able to provide this service, however, was not able to automate San Francisco's absentee process in 2005 because San Francisco's multiple-card ballot represented too many unusually large sized items for the

vendor's equipment to process. For June 2006, the number of ballot types for San Francisco's primary election would have created batches that were too small to sufficiently automate. A strong possibility exists that San Francisco may not in the foreseeable future be able to automate its permanent absentee ballots program for any primary election. The number of large ballot cards and the relatively small batches of ballot types make automation a labor-intensive process. The Department is still pursuing, however, the automation of the assembly and mailing of the permanent absentee ballots for the November 2006 election.

The Department met this week with a vendor that provides an automated service to counties to assemble permanent absentee ballots for mailing. The vendor's equipment is able to insert ballot cards and informational materials into envelopes for mailing to permanent absentee voters who have applied to be permanent absentee voters. The vendor does not provide daily assembly and mailing of all absentee ballots for counties since the automated process requires large numbers of similar materials to be handled at one time for the process to be cost effective. Thus, counties use the vendor's services only for the permanent absentee ballots mailing since this category of absentees will represent over 100,000 voters and represents the highest cost savings.

San Francisco's absentee ballots, however, present challenges to automation that do not exist in other counties. These challenges may prevent the automation of assembling San Francisco's permanent absentee ballots for mailing. One issue is San Francisco has multi-card ballots. Each election, no other county has the number of cards that comprise one "ballot" as does San Francisco. San Francisco's potential four-card ballot for November 2006 may be the limit in the number of inserts for the equipment presently used for assembling absentee ballots, and it is a possibility San Francisco may have a five-card ballot in the near future.

Santa Clara County and San Mateo County have automated the assembly and mailing of their permanent absentee program. One critical difference between these two counties and San Francisco, however, is that Santa Clara and San Mateo do not track their absentee ballots according to precinct. Instead, these counties use the less precise method of mailing ballots according to ballot types. Since precincts are smaller units than ballot types, the automation process would require more stopping and starting, as the short runs of precinct ballots would be completed. A bill is presently moving through the State Assembly that will require all counties to track absentee ballots according to precincts rather than ballot types and this potential change in law may prove advantageous to San Francisco since the vendor will most likely reconsider its automation process.

It is important to note, however, that the Department will still need to hire seasonal staff for the mailing of the permanent absentee ballots. These staff will need to inventory ballots delivered by the ballot printer and to perform quality control reviews of the ballot cards. Seasonal staff will be needed to assemble and daily mail absentee ballots since the Department will receive several thousand requests each day from voters to have a ballot mailed to them. The staff that assembles and mails absentee ballots is the same staff that receives and processes all of the absentees returned to the Department. Thus, even if the Department

outsourced the mailing of permanent absentee ballots, the reduction in staffing costs would occur only in the two weeks required to assemble the permanent absentee ballots for mailing.

Recommendation 4: Pursue State Reimbursement for Absentee Ballot Costs

The Department agrees with this recommendation. In fact, for the past several years, the Department has provided information for the reimbursement of costs associated with the absentee ballot program to the Mayor's Budget Office and that office provides the information to an outside contractor in Sacramento that files the claims with the State. The Department has continually informed the Mayor's Budget office on the amount of possible reimbursements and has discussed the matter with the Controller's office. We will be glad to provide any additional information to the Mayor's Office or the Controller's office regarding this matter. It has been our understanding that individual departments do not handle pursuit of claims under SB 90. It also has been our understanding that the SB 90 claims have been frozen by the State. The Department does not have staff who can act as a lobbyist to pursue the capture of reimbursable claims from State government in Sacramento.

Although not a staffing or planning issue per se, the Department has pursued reimbursement from a number of other government agencies, including the Board of Supervisors (related to Business Improvement Districts), Health Service System, Retirement System, Bay Area Rapid Transit District (BART), San Francisco Redevelopment Agency, San Francisco Unified School District, and San Francisco Community College District along with the State of California. This year, for example, the Department brought Assembly Bill 1634, a $1.7 million reimbursement bill for the November 2005 special election, to the attention of the Mayor's Legislative Committee. We also provided detailed information to the California State Association of Counties that actively supported this bill. Additionally, we continued to monitor this bill and provided the City lobbyist with all relevant updated information related to the bill. Unfortunately, AB 1634 did not make it through the State legislative session this year. Further, we recently hired a new 1657 Senior Systems Accountant who is also pursuing the capture of reimbursable costs for which the Department is eligible.

Recommendation 5: Develop a Seasonal Staffing Plan with Minimum Staffing Levels Based on Experience

The Department agrees with this recommendation. Starting July 1, 2006, we will endeavor to further track employee time internally to a specific public election, reimbursable project (like a Health Service Board election), or ongoing core department functions. We agree that we need to better isolate election-specific costs and staffing needs to determine, within a reasonable range, what costs and staffing can be projected based on historical data and new requirements. For example, Fiscal Year (FY) 2005-06 includes 2 regular elections (November 2005 and June 2006) while FY 2006-07 includes only one (November 2006). However, some planning for November 2006 occurs during FY 2005-06 and some wrap-up staffing for June 2006

occurs in FY 2006-07. We need to better define these ramp-up and ramp-down costs and include them in appropriate budget years. This item has been tasked to our new Senior Systems Accountant to implement.

Recommendation 6: Develop Policies of Guidelines for Hiring Returning Seasonal Employees

The Department is not entirely clear on how to respond to this recommendation. The Department has existing policies in this area, and the Department regularly reviews and periodically updates its personnel and other policies where appropriate. If specific changes are needed we can consult with the Department of Human Resources, City Attorney, or others depending on the need. We believe that consolidating all year-round staff into permanent positions as discussed above may resolve the concerns raised in the Controller's report. If not, we can pursue this matter further in the future. We do believe that recruitment and retention of talented people sometimes requires pay at above the first salary step; we implement this on a case-by-case basis where warranted and have done so for many years. Other counties also seek to retain seasonal staff over the various election cycles by compensating them for their skills in a similar manner. Additionally, some counties provide other seasonal employment to staff who work during the elections to ensure these staff return for the next election cycle. This information is included in the attached survey.

CONCLUSION

Understandably the Controller's report seeks to reduce the cost of conducting elections in San Francisco. However, to structure staffing levels for the Department based on a one-election fiscal year will inevitably result in staffing and budget inadequacies in the very near future. A better approach is to seek to understand the complexities of conducting elections in San Francisco and then ensure the Department is able to employ personnel with the necessary skills and knowledge to properly conduct and safeguard elections processes.

The Department has been very successful over the past four years and nine elections. The positions and personnel who are presently incorporated into the Department's operation are the foundation of San Francisco becoming a leader in conducting elections and in providing model programs to other counties.

Employee satisfaction is essential to any organization retaining people with the skills necessary to fulfill that organization's goals. Important factors to employee satisfaction are health care, retirement plans, and job security because these factors increase people's sense that their efforts are appreciated and properly compensated. Thus, it makes sense in some cases to actually reduce the number of temporary staff and increase the number

of permanent staff where such work has become permanent in nature and to increase the factors that lead to employees remaining with the Department. As the Controller's report acknowledges, temporary staff do perform functions intrinsic to the Department's administrative and operational responsibilities. Indeed, temporary employees have been substantial contributors to the Department's success the past several years. The City must allow the Department to institutionalize the skills and knowledge that it has nurtured over the past four successful years. Elections are becoming more complex, more technology-driven, and certainly more scrutinized than the past – every election department deserves to have a stable permanent employee structure that can understand the complexities before them, that can implement core programs, and that can use past experiences and institutional knowledge as a basis for improvement to the operation and administration of this important service provided to voters in San Francisco and in the State.

Encl; Table of questions to counties
Table of San Francisco's answers to Controller's survey questions

cc: Honorable Gavin Newsom, Mayor
Honorable Members of the Board of Supervisors
Dennis Herrera, City Attorney
Honorable Bruce McPherson, California Secretary of State
Steve Kawa, Mayor's Chief of Staff
Harvey Rose, Budget Analyst
Honorable Members of the Civil Grand Jury
San Francisco Public Library
Honorable Members of the Elections Commission

#	Question
1	***How many absentee ballots were issued at your Election Office in person for the following elections:*** Nov-04 Nov-05 Jun-06
2	***What was the total number of candidates who qualified for public office in the following elections (include #candidates/#offices to fill)*** Nov-04 Nov-05 Jun-06
3	***How many campaign committees must file campaign reports with your office?***
4	***How many public commissions/committees does your office manage?*** (a) Voter Accessibility Advisory Committee (b) Voter Outreach and Education Advisory Forum (c) Ballot Simplification Committee (d) Logic & Accuracy Board (e) Bay Area Outreach and Education Committee Chair (f) Election Commission (g) Poll worker Training Advisory Board (h) Election Observer Panel (I) Other
5	***How many ballot measure arguments (primary and rebuttals) were filed with your office in the following years (SF only county with paid arguments)*** Nov-04 Nov-05 Jun-06
6	***How many state and local petitions were filed in your office, including the total number of signatures filed and subsequently verified.*** State: (2004) Local: (2004) State: (2004) Local: (2004)
7	***Does your office have an established Outreach Division?*** How many languages? How many staff? How many events (fairs/festivals) were attended (June 2006)? How many "presentations" conducted - include delivery of materials for orgs to use (June 2006)? How many media interviews conducted - include articles we were asked to write for newsletters (June 2006)?
8	***How many new poll workers were recruited and trained for each of the following major elections?*** Nov-04 Nov-05 Jun-06

#	Question
9	***How many new polling places were relocated each the following major elections?*** Nov-04 Nov-05 Jun-06
10	***How many other office locations does your Department operate, where are they located in relation to your main office, and do you have to pay rent for those facilities?*** (warehouse, storage, machine storage/L&A testing, absentee preparation, precinct ballot staging, poll worker training classes, FED training classes, etc.)
11	***Does your County allow the use of other Department's personnel for election related/election functions?*** If not, how are they compensated (from your budget or theirs)? If not, how many workers assisted your office from other Department's in the following elections Nov-04 Nov-05 Jun-06
12	**Do you outsource any portion of your permanent absentee process?** When did you begin to do this? If so, do you still have any office staff at the vendor location to ensure the process is running smoothly? If so, how many staff do you still maintain to manage the daily absentee requests? If you do not outsource, why.
12a	**If you don't outsource, do you have any machines or systems that provide any sort of automation to the process?**
13	**Does your office provide any financial incentives for returning seasonal employees such as salary increases or position changes (job title change/salary increase)?** If not, what is your practice for retaining seasonal employees when there is a large gap between elections? (SMC often sends them to another office to keep them employed and then the call them back when needed.)
14	**Do you manage any election night transmission stations to transmit results from precincts?** If so, how many people are needed and do you pay them for training time? If not, why?
15	**If your Department head oversees more than one department, do the department share any core staff, such as a technology (IT) staff, accounting/budget staff, payroll staff, purchasing staff, etc. Trying to get at shared resources which may affect the total number of permanent or seasonal staff you have.**
5a.	***Original Survey, Question 5. Variety of responses from all surveyed counties should show that question lacked clarification. When we asked this same question and compared answers to the DOEs 284 employees, things look very different on the chart.*** **Originally, you were asked "What is the maximum number of seasonal employees required to conduct an election?"** What is your definition of "seasonal employee"? Does your original number include help such as your Field Election Deputies, any election day drivers, people hired to clean machines or booths prior to election day, people hired to conduct the L&A, election night only staff (receiving stations or transmission sites),

Question	1	2	3	4	5	6	7
	What are your year-round staffing levels? Please state the number of permanent (and temporary, if any) employees.	*Have year-round staffing levels changed significantly in recent years?*	*When do you start hiring temporary, as-needed or seasonal employees for an upcoming election?*	*How do you determine how many seasonal employees you need? Do you have a plan for each election, or do you use prior experience to determine the level of staffing needed?*	*What is the maximum number of seasonal employees required to conduct an election? 1/*	*Do seasonal staffing levels vary depending on the type of election? 2/*	*How do you allocate seasonal employees to the various elections tasks that they perform? Do you have a plan to do this?*
SF Response	Perm = 22 Temp = 15 (including Commission Sec)	Not significantly, although we have been able to fill a few permanent positions that had been previously frozen.	They are hired on a staggered basis, depending upon the Division they work. Each Division's area activities increase and decrease throughout the election. Earliest is approximately 4 1/2 months for Campaign Services and the start of the nomination period.	The Department puts together a plan that shows the start and end date for each position they need. This plan is based upon the type of election (primary or general), the potential number of ballot cards forcast (based upon information known at the time of the budget process), and historical data/past election practices. This is then consolidated into one spreadsheet showing the total number of seasonal employees. This is kept for future reference.	Approximatley, 235. Every election conducted in San Francisco is citywide so this number does not vary drastically. The number of employees needed for employee and other small district special elections (Retirement and Health Service Boards, BID, SOMPAC, etc.) will be smaller than the number needed for a city public election. *1/ The other counties surveyed will respond slightly differently as they may conduct various small city or school district elections throughout the year. These elections can be as small as 500 voters to as large as countywide.*	Yes. However, each election conducted in San Francisco is citywide so this number does not vary drastically. The number of employees needed for employee and other small district special elections (Retirement and Health Service Boards, BID, SOMPAC, etc.) will be smaller than the number needed for a city public election. *2/ The other counties surveyed will respond slightly differently as they may conduct various small city or school district elections throughout the year. These elections can be as small as 500 voters to as large as countywide.*	Yes. See answer to question number 4. Each Divisions tasks increase and decrease allowing for movement from function to function during the election cycle. For example, the outreach division staff also conduct the bilingual pollworker classes, provide staffing for the Election Center phone bank, assist with provisional ballots and other tasks of the canvass. Similarly, the Publications Division personnel also provide staffing for the Election Center phone bank, and may move on to the canvass if needed; the election day public phone bank personnel also assist with FPPC report filing or are released early during lulls in the incoming phone calls and then move on to assist with the canvass as needed.

Question	8	9	10
	Does the allocation of seasonal staff among elections tasks change depending on the type of election? [3/]	*What are the major drivers of your seasonal employee costs?*	*What are the major drivers of elections costs generally?*
SF Response	Yes. However, each election conducted in San Francisco is citywide so this number does not vary drastically. The number of employees needed for employee and other small district special elections (Retirement and Health Service Boards, BID, SOMPAC, etc.) will be smaller than the number needed for a city public election. [3/] *The other counties surveyed will respond slightly differently as they may conduct various small city or school district elections throughout the year. These elections can be as small as 500 voters to as large as countywide.*	Some election related and some general office functions. The seasonal employees fluctuate due to the number of voter registration cards received, number of state and local petitions being filed (for future election), even or odd-year elections and number of FPPC forms being filed, number of small local and employee elections, number of walk-ins/phone calls per day, number of public requests or comments requiring research and responses, new laws/mandates, public input requesting more programs, Election Commission input requesting more programs, new legislative (federal, state and local) mandates, USCIS ceremonies (year round activity)	Number of candidates and measures on the ballot (paperwork coming in/customer service), number of proponent/opponent arguments and paid arguments filed (extra if paid arguments supplemented with signatures in-lieu of fees), number of petitions filed/signatures to verify, RCV or non-RCV, number of write-in candidates, size of VIP, number of ballot cards, number of new pollworkers to recruit/hire/train/deploy, number of new polling places cancelled to relocate (ADA issues), number of late cancellations of both pollworkers and polling places requiring reassignment and relocation (new signs put out, creates problems on election day), new laws/mandates, voter interest, media coverage, postage increases (VIP and Absentee Ballots), new or additional equipment, old equpiment repair, voting system costs (new equipment to learn), number of absentee voters, number of provisional voters, increase in PW and PP stipends